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F&HC PATENT DIVISION

5136278118 P.03/13

Appl. No. 09/457,847
Atty. Docket No. 7114
Amtd. Dated 12/20/2004
Reply to Office Action of 09/14/04
Customer No. 27752

Certificate of Facsimile Transmission

I hereby certify that the correspondence to below Recipient was transmitted to the Commissioner for Patents in the U.S. Patent and Trademark Office on December 20, 2004.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/457,847
Applicant(s) : Toan Trinh et al.
Filed : December 9, 1999
Title : Fabric Wrinkle Control Composition and Method
TC/A.U. : 1700/1712
Examiner : M.G. Moore
Conf. No. : 8139
Docket No. : 7114
Customer No. : 27752

REPLY BY APPLICANT TO NON-FINAL OFFICE ACTION UNDER 37 CFR §1.111

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY REMARKS

In response to the Non-Final Office Action of 09/14/2004, the time for response being extended by 1 month, pursuant to the fee charged to the Assignee's Deposit Account in the papers submitted herewith, please amend the above-identified application as follows and consider the following remarks and reconsider the application.

Please amend the above-identified application as follows:

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 8 of this paper.

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Art. Docket No. 7114
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Rejection Under 35 USC 102(b) and 103(a) Over Jellinek

The Office Action rejects all the pending claims under 35 USC sections 102(b) and 103(a) over Jellinek (U.S. Pat. No. 4,631,226) except claim 65. Original claim 65 is directed, in part, to a spray dispenser that provides droplets having a Sauter mean diameter of from about 10 μm to about 120 μm . While not conceding to the Office's position with respect to Jellinek and merely in the interests of expediting prosecution, Applicant has amended independent claim 56 *inter alia* incorporating the claim limitation of claim 65. Since the Office Action has found original claim 65 patentable over Jellinek, Applicant submits the now amended Claim 56 is patentable over Jellinek as well as all the depending claims.

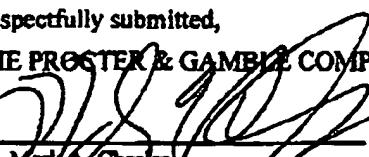
Conclusion

In light of the above remarks, it is requested that the Examiner reconsider and withdraw the rejection under 35 USC sections 112, 102, and 103 for the pending claims. Early and favorable action in the case is respectfully requested.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By


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December 20, 2004
Customer No. 27752